

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:19-cv-04707-PKC**

Lambda Legal Defense and Education Fund, Inc. v. United
States Department of Health And Human Services
Assigned to: Judge P. Kevin Castel
Cause: 05:552 Freedom of Information Act

Date Filed: 05/22/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Lambda Legal Defense and Education
Fund, Inc.**

represented by **Omar Gonzalez-Pagan**
Lambda Legal Defense and Education
Fund, Inc
120 Wall Street, 19th Floor
New York, NY 10005
(212)-809-8585
Fax: (212)-809-0055
Email: ogonzalez-pagan@lambdalegal.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Veronica Jane Till Goodson
Gibson, Dunn & Crutcher LLP (DC)
1050 Connecticut Ave NW
Washington, DC 20036
202-887-3719
Email: vtillgoodson@gibsondunn.com
ATTORNEY TO BE NOTICED

Joshua Morgan Wesneski
Gibson, Dunn & Crutcher LLP
1050 Connecticut Ave, N.W.
Washington, DC 20036
202-887-3598
Fax: 202-831-6022
Email: jwesneski@gibsondunn.com
ATTORNEY TO BE NOTICED

V.

Defendant

**United States Department of Health
And Human Services**

represented by **Anthony Jan-Huan Sun**
U.S. Attorney Office SDNY
86 Chambers Street
New York, NY 10007
212-637-2810
Fax: 212-637-2786
Email: anthony.sun@usdoj.gov
ATTORNEY TO BE NOTICED

Danielle Judith Levine
U.S. Attorney Office SDNY
86 Chambers Street
New York, NY 10007
212-637-2689
Email: danielle.levine@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
------------	---	-------------

05/22/2019	<u>1</u>	COMPLAINT against United States Department of Health And Human Services. (Filing Fee \$ 400.00, Receipt Number ANYSDC-16931619) Document filed by Lambda Legal Defense and Education Fund, Inc.. (Attachments: # <u>1</u> Exhibit A – 2018.04.27 FOIA Request to HHS and CMS re Nondiscrimination Policies, # <u>2</u> Exhibit B – 2018.04.27 FOIA Request to HHS and CMS re Nondiscrimination Policies, # <u>3</u> Exhibit C – 2018.09.14 Response from HHS re Nondiscrimination Policies Request – No Records, # <u>4</u> Exhibit D – 2018.12.05 Letter to HHS FOIA Liaison re FOIA Requests, # <u>5</u> Exhibit E – 2018.12.13 Administrative Appeal of HHS FOIA Requests, # <u>6</u> Exhibit F – 2018.04.27 FOIA Request to HHS re Outside Organizations, # <u>7</u> Exhibit G – 2018.05.10 Clarification Letter from HHS re Outside Organizations Request, # <u>8</u> Exhibit H – 2018.05.10 Clarification Response to HHS re Outside Organizations Request, # <u>9</u> Exhibit I – 2018.04.27 FOIA Request to HHS re HHS Officials, # <u>10</u> Exhibit J – 2018.05.01 Acknowledgement Letter from HHS re HHS Officials Request)(Wesneski, Joshua) (Entered: 05/22/2019)
05/22/2019	<u>2</u>	CIVIL COVER SHEET filed. (Wesneski, Joshua) (Entered: 05/22/2019)
05/22/2019	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Health and Human Services, re: <u>1</u> Complaint,,,,. Document filed by Lambda Legal Defense and Education Fund, Inc.. (Wesneski, Joshua) (Entered: 05/22/2019)
05/22/2019	<u>4</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Lambda Legal Defense and Education Fund, Inc..(Wesneski, Joshua) (Entered: 05/22/2019)
05/23/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge P. Kevin Castel. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 05/23/2019)
05/23/2019		Magistrate Judge Stewart D. Aaron is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) (Entered: 05/23/2019)
05/23/2019		Case Designated ECF. (pc) (Entered: 05/23/2019)
05/23/2019	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Health And Human Services. (pc) (Entered: 05/23/2019)
05/23/2019	<u>6</u>	NOTICE OF APPEARANCE by Omar Gonzalez–Pagan on behalf of Lambda Legal Defense and Education Fund, Inc.. (Gonzalez–Pagan, Omar) (Entered: 05/23/2019)
05/28/2019	<u>7</u>	ORDER INITIAL PRETRIAL CONFERENCE: Initial Conference set for 7/19/2019 at 11:45 AM in Courtroom 11D, 500 Pearl Street, New York, NY 10007 before Judge P. Kevin Castel. So Ordered. (Signed by Judge P. Kevin Castel on 5/28/2019) (js) (Entered: 05/28/2019)
06/06/2019	<u>8</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,,,,. United States Department of Health And Human Services served on 5/23/2019, answer due 6/13/2019. Service was made by Certified Mail. Document filed by Lambda Legal Defense and Education Fund, Inc.. (Wesneski, Joshua) (Entered: 06/06/2019)
06/06/2019	<u>9</u>	AFFIDAVIT OF SERVICE of Summons and Complaint,,,,. United States Department of Health And Human Services served on 5/24/2019, answer due 6/14/2019. Service was accepted by Haojun Li, Civil Clerk, United States Attorney's Office, Southern District of New York. Document filed by Lambda Legal Defense and Education Fund, Inc.. (Wesneski, Joshua) (Entered: 06/06/2019)
06/10/2019	<u>10</u>	MOTION for Veronica Till Goodson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17053331. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Lambda Legal Defense and Education Fund, Inc.. (Attachments: # <u>1</u> Declaration of Veronica Till Goodson, # <u>2</u> Exhibit A – Certificate of Good Standing, District of Columbia, # <u>3</u> Exhibit B – Certificate of

		Good Standing, California, # <u>4</u> Text of Proposed Order)(Till Goodson, Veronica) (Entered: 06/10/2019)
06/11/2019		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>10</u> MOTION for Veronica Till Goodson to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17053331. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 06/11/2019)
06/11/2019	<u>11</u>	ORDER granting <u>10</u> Motion for Veronica Till Goodson to Appear Pro Hac Vice (HEREBY ORDERED by Judge P. Kevin Castel)(Text Only Order) (Nacanther, Florence) (Entered: 06/11/2019)
06/13/2019	<u>12</u>	NOTICE OF APPEARANCE by Danielle Judith Levine on behalf of United States Department of Health And Human Services. (Levine, Danielle) (Entered: 06/13/2019)
06/17/2019	<u>13</u>	LETTER MOTION for Extension of Time to File Answer re: <u>1</u> Complaint,,,, addressed to Judge P. Kevin Castel from Danielle J. Levine dated June 17, 2019. Document filed by United States Department of Health And Human Services.(Levine, Danielle) (Entered: 06/17/2019)
06/18/2019	<u>14</u>	NOTICE OF APPEARANCE by Anthony Jan-Huan Sun on behalf of United States Department of Health And Human Services. (Sun, Anthony) (Entered: 06/18/2019)
06/18/2019	<u>15</u>	ORDER granting <u>13</u> Letter Motion for Extension of Time to Answer re <u>1</u> Complaint. Time to answer extended to July 24. Conference adjourned from July 19 to Sept. 3, 2019 at 2:30 p.m. SO ORDERED. United States Department of Health And Human Services answer due 7/24/2019 (Signed by Judge P. Kevin Castel on 6/17/2019) (kv) (Entered: 06/18/2019)
06/18/2019		Set/Reset Hearings: Initial Conference set for 9/3/2019 at 02:30 PM before Judge P. Kevin Castel. (kv) (Entered: 06/18/2019)
07/24/2019	<u>16</u>	ANSWER to <u>1</u> Complaint,,,,, Document filed by United States Department of Health And Human Services.(Levine, Danielle) (Entered: 07/24/2019)
08/27/2019		NOTICE: The time for the Initial Conference set for September 3, 2019 is changed from 2:30 p.m. to 3:45 p.m. in Courtroom 11D. (Nacanther, Florence) (Entered: 08/27/2019)
08/29/2019	<u>17</u>	JOINT LETTER MOTION to Adjourn Conference -- <i>Request to Adjourn the Initial Conference</i> addressed to Judge P. Kevin Castel from Veronica Till Goodson dated August 29, 2019. Document filed by Lambda Legal Defense and Education Fund, Inc..(Till Goodson, Veronica) (Entered: 08/29/2019)
08/30/2019	<u>18</u>	ORDER granting <u>17</u> Letter Motion to Adjourn Conference: Application granted. IPTC adjourned until September 23, 2019 at 11:15 AM. (Initial Conference set for 9/23/2019 at 11:15 AM before Judge P. Kevin Castel.) (Signed by Judge P. Kevin Castel on 8/30/2019) (jwh) (Entered: 08/30/2019)